

REMARKS

This paper is submitted in response to the Office Action dated January 7th, 2008. Claims 1-2, 4-16 and 18-26 are pending in the application with claims 19-24 currently withdrawn. In view of the foregoing amendments, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and requests reconsideration of the application in this regard.

Claims 1-2, 4-8, 10, 11 and 25 were rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement. The rejection focuses on the phrase in claim 1 of “folding the crimped binding sheet”. The rejection states that the original disclosure stated only that the binding strip was “folded and crimped” or “the securing means may fold or crimp the binding strip, in a known manner”. The Office Action asserts that the original specification did not disclose that the binding strip was folded subsequent to being crimped.

Of the claims rejected under § 112, only claim 1 is an independent claim and claims 2, 4-8, 10, 11 and 25-26 each depend directly or indirectly from independent claim 1. With respect to the substance of the § 112 rejection, Applicants respectfully assert that one of ordinary skill in the art would appreciate from Applicants’ specification that the folding and crimping operations are sequential as is well known in the art. Nevertheless, Applicants have amended independent claim 1 to recite the step of folding the binding strip with the end of the sheet of paper therein, as supported in the specification.

Applicants respectfully assert that this amendment to claim 1 and inherently to those claims depending from claim 1, is fully supported by Applicants’ original disclosure (see for example Application at para. [0031]) and overcomes the § 112 rejection.

Applicants note that claims 1, 2, 4-8, 10, 11 and 25 were indicated by the Examiner to be allowable over the prior art of record and appreciate the indication of allowability of these claims.

Claims 12-16 and 18 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hoffman (U.S. Patent Publication No. 2002/0164230 A1). In pertinent part, the rejection

states that Hoffman discloses a feed means 26 which directs the end 32 of the sheet of paper toward the binding strip 22a in a direction parallel to the longitudinal axis as shown in step C of Figs. 1 and 2 of the prior art reference and that this is accomplished prior to securing the binding strip to the end of the sheet of paper.

Of the rejected claims under § 102, only claim 12 is an independent claim and claims 13-16 and 18 depend directly from claim 12. Applicants have addressed the Hoffman reference previously and earnestly maintain that the present invention is neither disclosed, suggested nor obvious in view of the Hoffman reference or the other prior art of record.

Specifically, claim 12 has been amended to recite that “the feed means directs the end of the sheet of paper into a region between the two portions angularly disposed to each other of the binding strip in a direction parallel to the longitudinal axis” of the binding strip. Applicants understand that the Office Action interprets the Hoffman reference as movement of the sheet of paper in the direction of arrow C in Figs. 1 and 2 of that reference as being parallel to the longitudinal axis of the binding strip. However, the operation indicated by arrow C does not direct the end of the sheet of paper “into a region between the two portions angularly disposed to each other of the binding strip” as in Applicants’ invention of amended claim 12. This aspect of Applicants’ invention is shown in Fig. 1, for example, of Applicants’ original specification, and is described in para. [0031].

One key distinguishing feature of amended claim 12 relative to the Hoffman reference as applied in the Office Action is that the sheet of paper is actually fed into or mated with the binding strip as a result of the feed means recited in amended claim 12. This is not true with respect to the Hoffman reference including the operation indicated by arrow C in Figs. 1 and 2 of that reference.

As such, Applicants respectfully assert that independent claim 12 and dependent claims 13-16 and 18 are patentably novel and non-obvious over the Hoffman reference as well as the other prior art of record.

New claim 26 has been added herein, depends from claim 1 and likewise directed to this unique aspect of the invention.

Applicants appreciate the comment stated in the Advisory Action regarding the patentability of claims 1 and 12, respectively, in view of U.S. Patent Nos. 2,774,161 to Dixon ("Dixon") and 6,328,519 to Nagai ("Nagai"). In this regard, Applicants respectfully submit that Dixon fails to disclose or even suggest feeding an end of a sheet of paper to be bound into a partially folded elongated binding having two portions angularly disposed to each other from a fold line defining a longitudinal axis, as recited in claim 1 of the Application, as amended. To the contrary, Dixon discloses placing or moving a cover (4) (emphasis added) on a printed product (3) or signatures (2) (Nagai at col. 3, lines 54-55 and col. 4, lines 27-28).

Applicants similarly respectfully submit that Nagai fails to disclose or even suggest the feed means directing the end of the sheet of paper parallel to the longitudinal axis and into a region between the two portions angularly disposed to each other of the binding strip, as recited in claim 12 of the Application. Nagai, as discussed above, fails to disclose or even suggest the feed means recited in claim 12, or even the step of directing the end of the sheet of paper into the structure recited in claim 12. To the contrary, Nagai is silent on the direction or orientation of moving the cover (4) relative to the binding strip.

Accordingly, Applicants respectfully acknowledge Examiner's comment in the Advisory Action but submit that the inventions recited in claims 1 and 12, and inherently those claims depending therefrom, are allowable in view of the references cited therein.

CONCLUSION

In view of the foregoing amendments to the claims and remarks given herein, Applicants respectfully believe this case is in condition for allowance and respectfully request allowance of the pending claims. If the Examiner believes any detailed language of the claims requires further discussion, the Examiner is respectfully asked to telephone the undersigned attorney so that the matter may be promptly resolved. The Examiner's prompt attention to this matter is appreciated.

Applicants are of the opinion that no additional fee is due as a result of this Amendment. If any charges or credits are necessary to complete this communication, please apply them to Deposit Account No. 23-3000.

Respectfully submitted,

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